

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>JOHNNY M. HUNT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 3:23-cv-00243</b>
	)	
<b>SOUTHERN BAPTIST CONVENTION;</b>	)	<b>Judge Campbell</b>
<b>GUIDEPOST SOLUTIONS LLC; and</b>	)	<b>Magistrate Judge Frensley</b>
<b>EXECUTIVE COMMITTEE OF THE</b>	)	<b>Jury Demand</b>
<b>SOUTHERN BAPTIST CONVENTION,</b>	)	
	)	
<b>Defendants.</b>	)	

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**MOTION FOR MODIFICATION OF INITIAL CASE MANAGEMENT ORDER**

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Pursuant to Local Rule 7.01 and paragraph M of the Initial Case Management Order entered in this matter on May 24, 2023 (Doc. No. 37), Plaintiff Johnny M. Hunt, by and through the undersigned counsel, respectfully submits this Motion for Modification of the Initial Case Management Order and to extend Plaintiff's deadline in relation to serving written discovery as it pertains to the documents ordered to be produced by Defendant Guidepost Solutions LLC ("Guidepost") by the Court's Order entered on November 22, 2023 (Doc. No. 76).

As grounds for the instant motion, Plaintiff would show that, since the entry of Initial Case Management Order in this matter, Plaintiff served his initial sets of written discovery requests on all Defendants on June 1, 2023. Plaintiff also served his second set of written discovery requests on Guidepost on July 18, 2023. However, as described in Plaintiff's Motion to Compel (Doc. No. 57) and Guidepost's Motion for a Protective Order and *In Camera* Review (Doc. No. 61), several documents responsive to Plaintiff's written discovery requests have been withheld by Guidepost, to wit:

- (i) Audio recordings that the husband of the complainant made of his counseling sessions with the complainant and a purported marriage counselor;
- (ii) The complainant's husband's private journal;
- (iii) A summary document that contained information provided by the complainant and her husband to Guidepost's investigators;
- (iv) Text messages exchanged between the complainant and a Guidepost investigator who interviewed her for the report prepared by Guidepost;
- (v) Guidepost's notes of its interview with the complainant and her husband; and
- (vi) Blackline drafts of Guidepost's interview notes.

On November 22, 2023, the Court ordered the Parties to file a modified Protective Order that includes an Attorney's Eyes' Only designation by no later than December 5, 2023, and for Guidepost to produce the above-referenced documents. (Doc. No. 76). As of the filing of the instant motion, Guidepost has not yet produced said documents to Plaintiff. Depending on the outcome of Plaintiff's review of said documents after production, Plaintiff anticipates that he may need to serve additional written discovery requests in relation to the documents currently being withheld by Guidepost. Under paragraph G of the Initial Case Management Order (Doc. No. 37) in this matter, all written discovery is currently due to be served by no later than December 1, 2023. Accordingly, Plaintiff respectfully seeks a modification of the Initial Case Management Order to allow him sufficient time to serve any additional written discovery requests in relation to the documents to be produced by Guidepost pursuant to the Court's Order entered November 22, 2024 (Doc. No. 76).

Pursuant to paragraph M of the Initial Case Management Order, the undersigned counsel hereby certifies that, on November 20, 2023, he sent an email to Counsel for all of the Parties to notify them of Plaintiff's intention to file the instant motion and the requested relief herein, on

the basis of the documents currently being withheld by Guidepost which were the subject of Plaintiff's then-pending Motion to Compel (Doc. No. 57). The undersigned counsel requested that Counsel for each of the Parties confirm whether there was any opposition to the relief to be requested by the instant motion. As of the filing of the instant motion, no Counsel for any of the Parties has responded or indicated that there is any opposition to the instant motion.

As required by paragraph M of the Initial Case Management Order, the existing deadlines required to be listed in the instant motion are set out below:

- (i) The current deadline for all written discovery to be served is December 1, 2023;
- (ii) A telephonic status conference is currently set on January 10, 2024, at 8:30 a.m.;
- (iii) The current deadline for the completion of all written discovery and to depose all fact witnesses is February 2, 2024;
- (iv) The current deadline for the filing of all discovery motions is February 2, 2024;
- (v) The current deadline for the identification and disclosure of all expert witnesses and expert reports by the party bearing the burden of proof on an issue is February 23, 2024;
- (vi) The current deadline for the identification and disclosure of all expert witnesses and expert reports by the party not bearing the burden of proof on the issue is March 29, 2024;
- (vii) The current deadline for the completion of expert depositions is April 26, 2024;
- (viii) The current deadline for the filing of dispositive motions is June 7, 2024; and
- (ix) This case is set for a jury trial on November 12, 2024 beginning at 9:00 a.m. The Pretrial Conference is set for November 4, 2024 at 8:30 a.m.

Plaintiff anticipates that he will only need an extension of up to twenty-one (21) days after Guidepost has produced all of the documents ordered to be produced by the Order entered on November 22, 2023 (Doc. No. 76), to serve any additional written discovery requests in relation to those documents. As a result, Plaintiff hereby certifies that the extension requested herein will still conform to the requirements of Local Rule 16.01(h)(1) that no dispositive motion deadline, including response and reply briefs, shall be later than 90 days before the trial date.

For the foregoing reasons, Plaintiff respectfully requests that the Court enter an Order modifying the Initial Case Management Order such that Plaintiff is given up to and including twenty-one (21) days following Guidepost's production of the documents ordered to be produced under an Attorneys' Eyes' Only designation by the Order entered on November 22, 2023 (Doc. No. 76), to serve any written discovery requests in relation to those documents.

[SIGNATURE BLOCK TO FOLLOW]

Dated: November 24, 2023

Respectfully submitted,

s/ Andrew Goldstein

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*Attorneys for Plaintiff*

[CERTIFICATE OF SERVICE TO FOLLOW]

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Modification of Initial Case Management Order has been served on November 24, 2023, using the CM/ECF system, which will automatically serve all counsel of record listed below:

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